

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**BOARD OF TRUSTEES OF THE OMAHA
CONSTRUCTION INDUSTRY PENSION
PLAN,**

**Plaintiff/Counter Defendant,
vs.**

MCGILL RESTORATION, INC.,

Defendant/Counter-Claimant.

8:18CV366

**AMENDED
CASE PROGRESSION ORDER**

This matter is before the Court following a telephone conference held with counsel for the parties on November 18, 2019. In accordance with the matters discussed during the telephone conference,

IT IS ORDERED that Plaintiff's motion to extend the motion to compel deadline (Filing No. 37) is granted, and that the case progression order is amended as follows:

- 1) The trial and pretrial conference are cancelled.
- 2) The deadline to complete written discovery under Rules 33, 34, and 36 of the Federal Rules of Civil Procedure is **December 31, 2019**. Motions to compel discovery under Rules 33, 34, and 36 must be filed by **January 14, 2020**.

Note: A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge on or before the motion to compel deadline to set a conference to discuss the parties' dispute, and after being granted leave to do so by the Court.

- 3) The deposition deadline is **January 31, 2020**.
- 4) A status conference to dispositive motions, the pretrial conference and trial dates, and settlement status will be held with the undersigned magistrate judge on **February 7, 2020**, at **11:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 5) The deadline for filing motions to dismiss and motions for summary judgment is **February 28, 2020**.
- 6) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is **February 28, 2020**.

- 7) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 8) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 18th day of November, 2019.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge